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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
KYLE MATTHEW LISMAN,  
  
Defendant.

CASE NO. 1:25-CR-000041-JLT-SKO

JOINT STATUS REPORT AND STIPULATION  
REGARDING EXCLUDABLE TIME PERIODS  
UNDER SPEEDY TRIAL ACT; ORDER

DATE: June 4, 2025  
TIME: 1:00 p.m.  
COURT: Hon. Sheila K. Oberto

**STIPULATION**

1. This case set for status conference on June 4, 2025. As set forth below, the parties now move, by stipulation, to continue the status conference to October 29, 2025, and to exclude the time period between June 4, 2025 and October 29, 2025 under the Speedy Trial Act.

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

2. By previous order, this matter was set for status conference on June 4, 2025. By this stipulation, defendant now moves to continue the status conference until October 29, 2025, and to exclude time between June 4, 2025, and October 29, 2025, under Local Code T4.

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3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes substantial volumes of financial records, witness interviews, and other evidence. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to consult with his/her client, review the charges, conduct investigation and research, review discovery and discuss potential resolution of the case.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of June 4, 2025 to October 29, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: May 23, 2025

PHILLIP A. TALBERT  
United States Attorney

/s/ JEFFREY A. SPIVAK  
JEFFREY A. SPIVAK  
Assistant United States Attorney

Dated: May 23, 2025

/s/ Roger Ponce  
Roger Ponce  
Counsel for Defendant

### ORDER

In light of the Defendant's arraignment on March 13, 2025, the parties' request to continue the status conference from June 4, 2025, to October 29, 2025, at 1:00 p.m. is GRANTED. Time is excluded through October 29, 2025, pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

The parties shall be prepared to select a mutually agreeable status conference at the October 29, 2025, status conference.

IT IS SO ORDERED.

Dated: May 27, 2025

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE